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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 PATRICK D. TURNER,

10 Plaintiff,

11 v.

12 MICHAEL J. ASTRUE, Commissioner of
Social Security,

13 Defendant.
14

Case No. C11-629-RSM-JPD

REPORT AND RECOMMENDATION

15 Plaintiff brought this action to seek judicial review of the denial of his application for
16 disability benefits by the Commissioner of the Social Security Administration. Dkt. 1. The
17 parties have stipulated that this case should be reversed and remanded for further administrative
18 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 24.

19 Based on the stipulation of the parties, the Court recommends that this case be
20 REVERSED and REMANDED for further administrative proceedings. Specifically, the Appeals
21 Council shall remand the case to an Administrative Law Judge (“ALJ”) for a de novo hearing,
22 and the ALJ shall issue a new decision. Upon remand, the ALJ will further develop the record,
23 reevaluate the medical source opinions of record, redetermine plaintiff’s residual functional
24 capacity and credibility, redetermine whether plaintiff could perform any past relevant work,

and, if warranted, obtain vocational expert testimony. Plaintiff shall be afforded the opportunity to appear and testify at a supplemental hearing. Plaintiff shall also be permitted to submit additional evidence and arguments on remand. No aspect of the Commissioner's final decision is affirmed.

Upon proper application, plaintiff shall be eligible for attorney fees and expenses under the Equal Access to Justice Act, 24 U.S.C. § 2412 et seq.

A proposed order accompanies this Report and Recommendation.

DATED this 4th day of October, 2011.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge